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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/618,073

07/11/2003

Karthik Sathiavageeswaran

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10/13/2006

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC

701 FIFTH AVE

SUITE 6300

SEATTLE, WA 98104

EXAMINER

BOCURE, TESFALDET

ART UNIT

PAPER NUMBER

2611

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/618,073		SATHIYAGEESWARAN ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Teshaldet Bocure		2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,6,8-11,14,16 and 18-26 is/are rejected.
- 7) ☒ Claim(s) 3-5,7,12,13,15 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/06/03</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-26 are pending in the application.

#### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Singapore on 11/17/01. It is noted, however, that applicant has not filed a certified copy of the 200107115.8 application as required by 35 U.S.C. 119(b).

#### ***Information Disclosure Statement***

2. The Information Disclosure Statement (IDS) received on 11/06/03 has been considered by the Examiner and the initialed copy of the IDS is attached with this correspondence.

#### ***Drawings***

4. Figure 1-3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the

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applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1,6,8-11, 14,16,18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uehara (US patent number 6,330,274) in view of Applicant's Own Admitted Prior Art, AOAPA hereinafter (figs 1-3).

Uehara teaches a spread spectrum receiver comprising: an analog correlator (260 figs 1,3(a),3(b), 255 in fig.2(b) and figs 5(a) and 5(b)); and converting the analog correlated value to digital by the digital-to-analog converter (275 fig.2(b) and 684 fig.

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5(b)) as in claims 1,9,11 and 22, wherein the A/D conversion is done on the received baseband signal as in claim 14 (see received baseband signal 120), and having the inherent frequency of the digital signal as in claims 8 and 26.

Further to claims 2,16 and 24 Uehara also teaches the spreading code is translated to be compatible with the analog correlator by the level translator (see output 125 from the level translator in fig. 5(a) and 5(b)) to be multiplied by the analog multiplier.

The analog correlator having a mixer (26 fig.1) and integrator (265) for integrating the multiplied output as in claims 6 and 25.

The receiver Uehara is a spread spectrum receiver and used in portable communication (see col. 5, lines 20-35) as in claims 20,21 and 23.

What Uehara fails to teach is that the receiver:

having amplifier and filtering circuitry as in claims 1,9,11 and 22;

delay spreading the spreading code as in claims 10 and 18; and

the receiver being a RAKE receiver as in claim 9.

AOAPA figures 1-3 show amplifier (14) for amplifying the received RF signal and filtering (18) the amplified signal as in claims 1,9,11 and 22; delaying the spreading (see elements 36 and 38 in figures 2 and 3); and the receiver being a RAKE receiver (see the plurality despread signals to be processed by the signal processor 40) as in claim 19.

***Allowable Subject Matter***

8. Claims 3-5,7,12,13,15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent Application Publication number 2002/0146080 to Dress JR. et al., US patent numbers 4,774,715, 6,678,312, issued to Messenger and Mohindra respectively PCT publication number WO 01/471128 issued to Mohindra disclose a receiver having an analog correlator.

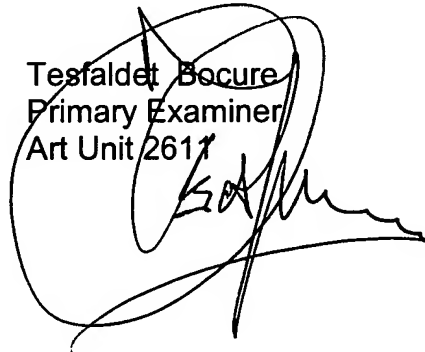
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tesfaldet Bocure whose telephone number is (571) 272-3015. The examiner can normally be reached on Mon-Thur (7:30a-5:00p) & Mon.-Fri (7:30a-5:00p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayanti (Jay) Patel can be reached on (571) 272-2988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tesfaldet Bocure  
Primary Examiner  
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A handwritten signature in black ink, appearing to read 'Tesfaldet Bocure', is written over the printed name and title.

T.Bocure